

Serial No. 10/706,617

REMARKS

Claims 1-22 are pending in the instant application. In view of the the following remarks, favorable reconsideration of this case is respectfully requested.

The Examiner has not acknowledged the claim of priority and receipt of the priority documents in the present application. Applicants respectfully request such acknowledgement in the next Office communication.

Applicants note with appreciation that the Examiner has returned an initialed copy of the Information Disclosure Statement (IDS) filed on October 8, 2004 for the present application. Applicants respectfully request an initialed copy of the IDS filed on December 23, 2004, a courtesy copy of which is enclosed with this Amendment, in the next Office communication.

The Examiner has not indicated acceptance of the drawings filed in the present application, and Applicants therefore respectfully request that acceptance of the drawings be indicated in the next Office communication.

Claims 1, 5, 6, 9, 10, 14, 16, 17, 19, 20, and 22 rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 6,253, 218 to Aoki et al. (hereinafter referred to as Aoki). Applicants respectfully traverse.

Claim 1 is directed to a file processing apparatus that includes, *inter alia*, an attribute input unit which acquires a value of an attribute for at least one file *in order to represent a value of a predetermined attribute for an intended file by using a concept of weight* and a comparison processing unit which compares the value of an attribute with a reference value. The file processing apparatus of claim 1 also includes a position determining unit which sets, based on a result obtained from said comparison processing unit, *a relative display position of a predetermined object that represents symbolically the weight*, and a display processing unit which *visually represents the value of the attribute in terms of whether the weight is heavy or*

Serial No. 10/706,617

light, by displaying the object at the display position on a screen set by said position determining unit.

The Examiner interprets the term “weight” in the phrase “by using a concept of weight” to mean “a value assigned to a file or directory based on an assigned attribute of that file or folder” (Office Action; page 2, lines 14-16). Examiner equates the concept of weight recited in the claims as a value assigned to a file. However, contrary to the Examiner’s interpretation, the phrase “by using a concept of weight” in the subject application means exploiting the principle that a heavy object sinks and a light object floats (Specification; figures 1-4), or that a plate of a balance carrying a heavy object hangs low (Specification; figure 12).

For example, referring to figure 1 showing the first embodiment, the weight (or mass) of a sphere representing a file (or a folder) is determined by an attribute value (e.g., data size) of the file. The first sphere 102, which is the heaviest (e.g., the data size is largest) is suspended in the water near the water bottom 114. The third sphere 106, which is the lightest (e.g. the data size is smallest), is floating near the water surface 112. That is the weight of the sphere is set in accordance with the attribute value (e.g., the data size) so that whether the sphere is heavy or light is represented on a display.

In contrast, Aoki displays a file as shown in figure 2, where the X axis direction represents the categories and the Z axis direction (depth direction) represents the dates. Computing the Z coordinate in accordance with the date value as in Aoki does not represent the use of “a concept of weight”. Allowing the Z axis to represent the dates as in Aoki would merely allow a user to know the date (or attribute) of an object in terms of whether the object is “far” or “near”, but not in terms of “heavy” or “light”. Aoki does not describe that the Y axis, which is associated with “weight “ in the subject application, corresponds to any attributes. Figure 66 and

Serial No. 10/706,617

the associated description merely describe that “the retrieval non-suitable models are popped up or down” the Y coordinate in accordance with user operation (Aoki; col. 26, lines 13-22). In Aoki, the Y coordinate is determined independently of the attribute. Accordingly, Aoki does not disclose using *a concept of weight*, such that an object appears “light” or “heavy” on a display according to the attribute value (e.g., data size of a file). Thus, the invention described in claim 1 distinguishes over the invention described in Aoki, and therefore the rejection of claim 1 should be withdrawn.

Independent claims 10, 14, 17, 19, 20, and 22 are also directed to representing the attribute by using “a concept of weight”. Therefore, for at least the same reasons as claim 1 is allowable, claims 10, 14, 17, 19, 20, and 22 are also allowable.

Claims 1, 5, 6, and 9 depend from claim 1 and claim 16 depends from claim 10, and therefore each of these claims is allowable for at least the same reasons as their respective base claims are allowable.

Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being obvious over Aoki in view of United States Patent Publication No. 2002/0175896 to Vaananen et al. (hereinafter referred to as Vaananen). Applicants respectfully traverse.

The addition of Vaananen fails to cure the critical deficiency discussed above as regards Aoki applied against the independent claims. Therefore, claims 2 and 11 are allowable for at least the same reasons as their respective base claims, claims 1 and 10, are allowable.

Claims 3, 4, 12, 13, 18, and 21 are rejected under 35 U.S.C. 103(a) as being obvious over Aoki in view of United States Patent Publication No. 2002/075322 to Rosenzweig et al. (hereinafter referred to as Rosenzweig). Applicants respectfully traverse.

Serial No. 10/706,617

The addition of Rosenzweig fails to cure the critical deficiency discussed above as regards Aoki applied against the independent claims. Therefore, independent claims 12, 18, and 21, which are also directed to representing the attribute by using "a concept of weight", are allowable for at least the same reasons as claim 1 is allowable. Also, claims 3, 4, 13, are allowable for at least the same reasons as their respective base claims, claims 1 and 12, are allowable.

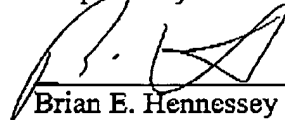
Claims 7, 8, and 15 are rejected under 35 U.S.C. 103(a) as being obvious over Aoki in view of United States Patent No. 6,340,957 to Adler et al. (hereinafter referred to as Adler). Applicants respectfully traverse.

The addition of Adler fails to cure the critical deficiency discussed above as regards Aoki applied against the independent claims. Therefore, claims 7, 8, and 15 are allowable for at least the same reasons as their respective base claims, claims 1 and 14, are allowable.

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Brian E. Hennessey
Reg. No. 51,271

CUSTOMER NUMBER 026304
Telephone: (212) 940-8800
Fax: (212) 940-8986/8987
Docket No.: SCEP 20.732 (100809-00225)
BEH:pm